

VERMONT TOBACCO EVALUATION AND REVIEW BOARD
BOARD MEETING

Wednesday, January 13, 2010 3:00 p.m. – 5:00 p.m.

The Pavilion Building, 109 State Street, Montpelier
Governor's 4th Floor Conference Room

MINUTES

Members and Designees Present:

Edna Fairbanks-Williams, Brian Flynn, Ted Marcy, Amy Brewer, Andy Snyder (as DOE Representative), Barbara Cimaglio, Greg MacDonald, Teresa Leyro, Travis Todd, Marcia Lawrence, Christy Taylor-Mihaly

Members of the Public Present:

Rebecca Ryan (ALA), Sheri Lynn (VDH), Ivy Zeller,

As suggested by Andy Snyder, the Board took a moment of silence to reflect on the tragic events that happened this week in Haiti.

General Announcements:

Brian welcomed Barbara Cimaglio as the new Board designee for the VDH.

Ginger Epstein was appointed by the Governor as the "K-12 Educator" member of the Board. She could not be present today.

Public Comment

(10 min)

Ivy Zeller with the New Directions Coalition in Montpelier announced that two expert speakers, Michael Nerney and Dr. David Jernigan, are coming to Montpelier to speak about youth prevention efforts. She passed around flyers for these events.

*Rebecca Ryan announced that the Coalition for a Tobacco-Free Vermont will hold a press conference in the Statehouse this Friday. **Stephen will send the information out to the Board members.***

Approval of Minutes

(5 min)

Edna motioned to accept November Board meeting minutes. Ted seconded. No discussion. Minutes accepted.

Announcements

(5 min)

- *A hard copy of the RTI Annual Report is included in each of the meeting material packets. The report is also available on the Board's website.*

- *The legislative session began on January 5th. The Board supports elimination of smoking within a certain distance of municipal buildings. Stephen passed out Bill Frank's new bill which would eliminate smoking within a certain distance of all publically accessible buildings. Comments about this bill can be sent to Stephen or Bill Frank within the next day. There will be more time to discuss these bills over the next few months.*
- *The pending bill that would increase penalties for retail tobacco sales to youth is not likely to be discussed during this legislative session.*
- *Brian passed around an article describing a recent FDA tobacco legislation court ruling.*

Smoke Free Housing Policy (VOTE)

(30 min)

Rebecca Ryan (ALA) was present to give a brief overview and answer questions, as was the Board's request in November.

Following is the text of the Board's policy as found in the 2008 Annual Report:

"Develop smoke-free multi-unit housing residences, both existing and planned. In the 2006 report, The Health Consequences of Involuntary Exposure to Tobacco Smoke, the U.S. Surgeon General concluded the scientific evidence indicates there is no risk-free level of exposure to secondhand smoke. The board recommends developing smoke-free policies to reduce exposure of secondhand smoke for Vermonters living in multi-unit housing."

Brian read a draft motion for supporting the ALA efforts as follows:

The Vermont Tobacco Evaluation and Review Board adopted a policy in 2008 that "recommends developing smoke-free policies to reduce exposure [to] secondhand smoke for Vermonters living in multi-unit housing." The Board thus supports recommendations that the Joint Committee on Tax Credits encourage smoke free building policies in affordable housing projects through preferences in plan evaluation criteria, tax credits, or similar methods.

Rebecca distributed a list of the current and proposed criteria for this effort. Other states have had success in implementing these types of tax credits. The process is an opportunity for developers of affordable housing only. The new policy would only apply to new buildings or rehabilitated buildings. Rebecca will introduce this effort to the VHA next week. She presented to a group of low-income Vermonter already. Edna discussed this issue at the VCIL meeting this morning as well. ALA is also working on providing resources specific to Vermont landlords on smoking policies.

Ted moved the motion, with removing the word "to" as noted.

Andy seconded, with support from Greg.

*No further discussion.
All in favor, no abstentions.*

VTERB Annual Report 2010 (VOTE) (15 min)

Stephen thanked members for their time and effort helping develop the draft VTERB 2010 Annual Report. The report is due on January 15th. Are there any last minute edits as the report? (There were no further suggestions for edits.) Ted was interested in how people viewed the RTI evaluation section.

Stephen will distribute the report to the required recipients and place a hard copy of the executive summary in the mailboxes of most legislators, as suggested.

Ted motioned to approve the Board's Annual Report in its entirety. Edna Seconded. No further discussion. Vote: All in favor, no abstentions. Report approved for distribution.

Tobacco Trust Fund Discussion (20 min)

The current Tobacco Trust Fund Balance is approximately \$30 million. This current fiscal year (FY2010) trust fund dollars (\$1.5 million) are being used for VDH programs.

The Coalition for a Tobacco Free Vermont is advocating for a \$4.8 million dollar appropriation using both MSA funds and Trust fund dollars. It would be helpful to have an official Board position about:

- Should trust funds be used in FY11 to shore-up TCP funding shortfalls?*
- Would the Board like to re-affirm its position against trust fund spending to shore-up other (non-tobacco) programs?*

Brian says we need to be very aware of any upcoming legislative actions regarding the TTF. Ted summarized the original intent of the TTF: to support a TCP when other money was not available. Christy described how money can be withdrawn from the trust fund: for reasons only for tobacco control.

*Brian thinks it is important to use only MSA funds when possible. Greg said that the question then becomes: What do we do if we don't get that MSA funding? He thinks we should use the trust fund to shore-up the program when needed. Amy and Edna spoke about how the program is designed to reduce Medicaid spending. Amy would be cautious of trust fund spending and would only consider it if absolutely needed. Ted agrees that the TTF should be used only as a last resort. He thinks the Board should not propose using the TTF up front. Andy suggested that Brian have a conversation with Jeb Spaulding about the TTF. MSA income is declining, and yet it is covering a growing cost of services, we are in an elevated period of distributions: The current \$40 million payments will decrease to \$23 million after the strategic payments are completed in seven years. **Brian***

suggested that the Board have an ongoing conversation about this topic over the next few months.

2020 Tobacco Control Program Goals – Continued Discussion (30 min)

The original goals for the program targeted prevalence rates for 2010. As introduced previously, it is time to reconsider the program goals for 2020. Brian presented a copy of the Healthy People 2020 (HHS) draft objectives. The Board will develop new goals in collaboration with the various departments. The VDH has not created their program level goals yet, they take guidance at the federal level. The federal goals may not be available until the fall. **We will monitor the HHS website for the final Healthy People 2020 goals and use that to inform any further discussion.**

Other Business (5 min)

Brian briefly commented on Board memberships. Only his and Ted's memberships will expire this summer. Everyone else is slated to continue though next year. Please speak with Stephen or Brian on thoughts about the Chair position(s) moving forward.

Meeting adjourned at 4:40

Minutes taken by: Stephen Morabito

Draft minutes reviewed by: Brian Flynn

Materials for Discussion:

- VTERB Meeting Minutes (November, 2009)
- Smoke Free Housing Tax Credit Summary (ALA)
- VTERB Annual Report Final Draft
- 2020 Healthy People Draft Objectives
- Hard copies of RTI Annual Report (for distribution)